

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE MATTHEW F. KENNELLY

APPFARANCES:

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Also Present: MS. JUDITH LESCH, PRETRIAL SERVICES

Court Reporter: MS. CAROLYN R. COX, RPR, F/CRR
Official Court Reporter
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1 (The following proceedings were had in open court:)

2 THE CLERK: Case 24 CR 503-2, USA v. Bradley.

3 THE COURT: Can I get counsel's appearances for the
4 record.

5 MS. STEINDORF: Maggie Steindorf on behalf of the
6 United States.

7 MR. GREENBERG: Good morning, your Honor. Steve
8 Greenberg on behalf of Mr. Bradley.

9 THE COURT: Okay. So it's a detention hearing. I'm
10 assuming you want to go first.

11 MS. STEINDORF: Your Honor, I did --

12 THE COURT: I'm sorry. I forgot. Sorry.

13 MS. LESCH: Good afternoon, your Honor. Judith Lesch
14 with Pretrial Services.

15 THE COURT: You can just have a seat wherever you
16 want.

17 MS. LESCH: Thank you.

18 MR. GREENBERG: Your Honor, in speaking to
19 Mr. Bradley, which is what I wanted to ask him, based on the
20 pretrial report, they've made a recommendation with
21 third-party custodians. His mother is at work and apparently
22 was unable to get off work to be here today as was his
23 girlfriend who said he could live with her.

24 THE COURT: Okay.

25 MR. GREENBERG: So neither one of them are going to

1 be here today. And I just learned that fact when I spoke to
2 him. He was at the county jail and then they brought him over
3 today as you can tell.

4 So I'm certainly in a position to go forward with
5 sort of the factors and all of that, but if your Honor wants
6 to address a third-party custodian, I won't have anyone here
7 to address --

8 THE COURT: Yes. So my inclination is let's go ahead
9 and do what we can do and kind of see where we are. The
10 reason being that if I don't do -- what we're going to do
11 first I'm assuming is kind of a longer part, and if I don't do
12 it today, it's going to be like three weeks, maybe four.

13 MR. GREENBERG: That's fine.

14 THE COURT: Let's just go ahead that way.

15 So you're proposing to go first I would assume.

16 MS. STEINDORF: Yes, your Honor. I have prepared
17 both a factual proffer and an argument. I can start with the
18 factual proffer, and then I'll leave it to your Honor whether
19 you want defense to then proffer and then argue.

20 THE COURT: Okay.

21 MS. STEINDORF: On November 3rd, 2022, at
22 approximately 6:00 p.m., the evidence shows that
23 Ramone Bradley, Marquell Davis, Edmund Singleton, and another
24 individual conspired to carjack Victim A at a gas station at
25 100th Street and South Michigan Avenue.

1 Your Honor, if I could have permission to publish
2 Bradley Exhibit 1.

3 THE COURT: Is it a video?

4 MS. STEINDORF: It is a short video.

5 THE COURT: Give me a second to flip over to you. So
6 apparently I've been fired or something because it won't let
7 me -- no, finally I've been unfired. Okay. Here we go.
8 You're good.

9 MS. STEINDORF: Thank you, your Honor. And I'm
10 starting the video at approximately 2 minutes and 10 seconds.
11 I direct the Court's attention to the lower left-hand corner
12 of this screen here.

13 THE COURT: Okay.

14 MS. STEINDORF: And I am playing the video.

15 (Video played.)

16 MS. STEINDORF: I'm going to pause the video at
17 2 minutes and 17 seconds.

18 As your Honor can see from the video, a silver car
19 with damage to the front passenger side pulled up next to the
20 victim's vehicle. Two individuals got out of that silver car
21 armed with firearms and began to attempt to take the vehicle
22 from the victim.

23 I am playing again.

24 (Video played.)

25 MS. STEINDORF: And I'm pausing here at about

1 2 minutes and 28 seconds.

2 Again, the individual on the right-hand side who has
3 since been identified by law enforcement as Marqueell Davis is
4 continuing to struggle with the victim at the gas pump, but I
5 direct the Court's attention to the left-hand side of this
6 screen, in the silver vehicle, there's an individual wearing a
7 face mask and a black hoodie watching as the car --

8 THE COURT: The face mask is the small thing that
9 looks white?

10 MS. STEINDORF: Correct, your Honor.

11 -- (continuing) watching as the carjacking occurs,
12 and the government contends that that is the defendant Ramone
13 Bradley.

14 (Video played.)

15 MS. STEINDORF: And I've paused it here at 2 minutes
16 and 38 seconds.

17 Davis was able to get presumably the keys from the
18 victim and another individual and Davis drove off with the
19 victim's vehicle with Bradley and Edmund Singleton in the
20 Jeep, the silver car with the damage in the front.

21 Later that same day at approximately 9:30 p.m., this
22 defendant, Bradley and Davis, attempted to carjack Victim B at
23 gunpoint.

24 And I'll show what I've marked as Bradley Exhibit 2.

25 THE COURT: What's the location of this one?

1 MS. STEINDORF: I apologize, your Honor. I believe
2 this is about 30th and Michigan, but I'm going off of memory
3 there.

4 THE COURT: Okay.

5 MS. STEINDORF: I'm starting the video here at
6 4 minutes and 35 seconds approximately.

7 (Video played.)

8 MS. STEINDORF: And I direct your Honor's attention
9 again to the left-hand upper portion of the screen,
10 specifically the black BMW at the gas pump.

11 THE COURT: Okay.

12 MS. STEINDORF: I'm playing the video here.

13 A silver vehicle with a dent in the passenger side
14 consistent with the first vehicle involved in the first
15 carjacking pulled up next to the BMW, and I'm just -- it
16 happened so quickly, I'm going to go back and play again from
17 4:36 and try to pause it.

18 An individual later identified as Ramone Bradley gets
19 out of the side of this silver vehicle pointing a firearm at
20 the victim and quickly falls to the ground.

21 The other individual identified as Davis later on
22 based on the clothing he was wearing during both of the
23 carjackings does something out of view with the victim but
24 returns with the keys, so presumably he was obtaining the keys
25 from the victim.

1 And here Bradley and Davis appear to struggle to
2 operate the vehicle.

3 I apologize, your Honor, this video was cut into two
4 clips, so I'm starting Bradley Exhibit 3 which picks off where
5 Bradley Government Exhibit 2 left off.

6 (Video played.)

7 MS. STEINDORF: I'm going to back up just a second.
8 Starting at 0 seconds, I've paused it here at just about
9 1 second, and I direct the Court's attention to the individual
10 in the black hoodie with white writing on the back coming out
11 of the driver's seat.

12 And then pausing at just about 2 seconds again, that
13 individual is wearing -- later identified as Bradley is
14 wearing a black hoodie, what appear to be tan or gray
15 underwear, gray jeans, and white sneakers. And Bradley and
16 Davis abandon their attempts to steal the vehicle and drive
17 away in the silver car with the dent in the side.

18 So Victim B reported to law enforcement that he was
19 diagnosed with polio at a young age and his car was outfitted
20 with hand controls which allowed him to drive and a spinner
21 knob to help him steer. Victim B also uses crutches to walk
22 and has braces on both of his ankles. Victim B reported that
23 he heard the individual from the driver's side, Bradley, say,
24 "There's all this handicapped shit."

25 Bradley and Davis then, as your Honor saw in the

1 video, got out of the vehicle and fled in the silver Jeep with
2 damage on the side.

3 At approximately 10:27 p.m. Cook County sheriffs saw
4 the gray Jeep with the dent in the passenger door at
5 approximately 87th Street and King Drive. A police helicopter
6 relocated to the area and began following the Jeep calling out
7 its location to police on the ground via OEMC. The police
8 helicopter followed the Jeep until it went under a viaduct
9 just south of 94th Street on Woodlawn Avenue. The police
10 helicopter saw three people running northbound from under the
11 viaduct and called out their location for responding units on
12 the ground.

13 Singleton and Bradley were arrested in the backyard
14 of approximately 9343 South University Avenue. A key fob to
15 the Jeep with the damage to the front was recovered from the
16 ground in that backyard.

17 Davis was also arrested, but he hopped a fence and
18 was arrested near 9331 South University Avenue.

19 And then the gray Jeep with damage to the side was
20 recovered under the viaduct and a VIN check revealed it was
21 stolen out of Bedford Park, Illinois, approximately two weeks
22 before on October 19th, 2022.

23 Officers canvassed the area of the arrests and found
24 a black Glock handgun in a garage at 9343 South University
25 Avenue -- again, that was the approximate location of where

1 Bradley was taken into custody -- and a tan and snakeskin
2 semiautomatic gun with an extended magazine in a trash can in
3 the backyard of 9341 South University.

4 After reviewing helicopter video, officers also saw
5 one of the offenders throw a third handgun into the backyard
6 at 9343 South Woodlawn Avenue. And that was recovered and
7 equipped with an extended magazine and a switch to make the
8 firearm fully automatic.

9 That third firearm that was recovered was
10 fingerprinted by the Illinois State Police lab, and latent
11 prints suitable for identification were lifted from the
12 magazine from under some tape. And from tape that was wrapped
13 around the magazine, both prints were identified as Bradley's.

14 I would note for the Court that this gun did not
15 match the description of the gun used by Bradley during the
16 carjacking but was a third gun that was recovered after the
17 arrests of Singleton, Davis, and Bradley.

18 And then Bradley Exhibit 7, which I'm pulling up on
19 the screen, is a photo of Bradley's clothing when he was
20 arrested which is consistent with the carjacker of the second
21 carjacking, a black hoodie with white writing on the back, tan
22 or gray underpants, gray jeans. When Bradley was arrested, he
23 was not wearing shoes, but officers did recover white shoes in
24 the area of the arrests.

25 So that concludes the factual proffer I have, your

1 Honor.

2 I just have argument.

3 THE COURT: You can go ahead with that.

4 MS. STEINDORF: Okay. Going through the 3142 factors
5 here, (g)(1) asks the Court to consider the nature and
6 circumstances of this offense. These are very serious
7 offenses. Each carjacking involved two people overtaking a
8 victim at a gas station at gunpoint to steal and, in the
9 second carjacking, to try to steal their car.

10 The second carjacking, during which Bradley pointed a
11 gun at a vulnerable victim whose vulnerability was visible to
12 defendant because the victim uses crutches to walk, was only
13 an attempt because they could not figure out how to drive the
14 car.

15 And while the gun that Bradley's fingerprints were
16 located on did not match the description of the gun that
17 Bradley used in the carjacking, possession of a gun as a felon
18 is a serious offense as well.

19 As to the (g)(2) factor, the strength of the
20 evidence. Both carjackings were captured on surveillance
21 video, and Bradley was arrested a little over an hour after
22 the second carjacking wearing similar clothing as to what was
23 seen on surveillance video.

24 As to the (g)(3) factor, defendant's history and
25 characteristics. Defendant is 26 years old. For the six

1 months prior to his arrest, he reported being transient and
2 not having consistent employment. He has a prior felony
3 conviction out of Hobart, Indiana, and during the pendency of
4 that case, a notice of non-compliance was filed. He also has
5 other arrests that while the cases were pending he failed to
6 appear. One in July 2021 and one in September 2022. The
7 September 2022 one resulted in a judgment on bond forfeiture.

8 His history here shows a pattern of non-appearance
9 and non-compliance.

10 As to the danger that the defendant poses to any
11 other person in the community, I'd note here that the release
12 plan is not sufficient. Defendant cannot live with his mother
13 because of restrictions on her housing. The defendant has
14 proposed his girlfriend to be his third-party custodian. She
15 has two children living with her, one of which is the
16 defendant's five-month-old. But the girlfriend works
17 overnight from Thursday to Sunday and would not be able to
18 supervise defendant's whereabouts during those times. I'd
19 also note that defendant reported they've been in a
20 relationship for five years which covers the time period when
21 Bradley committed these offenses.

22 So for these reasons, the release plan is not
23 sufficient to protect the community from this defendant. And
24 I'd also argue that without the third-party custodian, without
25 an opportunity to question or admonish the third-party

1 custodian, the government's position is detention, but
2 especially here where the third-party custodian is not in
3 court today.

4 So, your Honor, the government has proved by clear
5 and convincing evidence that defendant is a danger to the
6 community. And given this defendant's history of
7 non-compliance and failures to appear, the government has also
8 proved by a preponderance of the evidence that the defendant
9 is a risk of non-appearance and asks this Court to detain the
10 defendant pending trial.

11 THE COURT: Thanks.

12 Mr. Greenberg.

13 MR. GREENBERG: Judge, before I begin, I would
14 indicate the young lady who is now in the courtroom is
15 Mr. Bradley's sister who has entered the courtroom.

16 THE COURT: Thank you.

17 MR. GREENBERG: I don't need to get into the factual
18 proffer. That's a matter for down the road, what the facts of
19 the case are.

20 My understanding is that the government has to show
21 by clear and convincing evidence that there's no conditions of
22 release that will reasonably assure the safety of the
23 community, and I don't think they've shown that here. I
24 certainly don't think they've shown at all that he's a flight
25 risk.

1 I don't dispute that these are serious offenses. But
2 as far as these kinds of offenses go, they certainly are not
3 on the more egregious end of them. In the first one that
4 they've shown, Mr. Bradley never leaves the vehicle. He has
5 essentially no involvement of any kind whatsoever in the
6 offense other than he is sitting in a seat.

7 In the second offense, Judge, I don't think you can
8 assume that he knew that this gentleman was disabled at all.
9 There's nothing to indicate that. You can't see anything from
10 the video that indicates that. And the offense was never
11 completed of any kind whatsoever.

12 He didn't have a firearm. He didn't display a
13 firearm. He didn't strike anyone with the firearm or anything
14 like that.

15 As far as the non-appearance, Judge, I took a look at
16 that. And the best I could determine was -- well, let me
17 first address where they said a petition to revoke was filed
18 on this Indiana case. It's a suspended sentence. It
19 indicates a felony here. I tried to look it up. I couldn't
20 determine if it was a felony or a misdemeanor. In my
21 experience, many times when they've got these situations in
22 Indiana cases, they have pled them down to misdemeanors. I
23 know it indicates here it's a felony. I couldn't make heads
24 or tails of it when I looked at the records. But I will
25 accept the representation that it was a felony.

1 They did file a petition to revoke when he was
2 brought before the judge there. The judge released him on a
3 recognizance bond. The PTR was withdrawn some eight months
4 later which to me indicates that he was compliant with all of
5 the conditions of probation, and then approximately nine
6 months after that, his probation was discharged. He never had
7 to serve any of the time from the suspended sentence or
8 anything like that which, to me, means that he was, but for
9 maybe a hiccup, compliant with the probation and showed that
10 he could follow the rules of the Court and what the Court
11 directed that he should do.

12 As far as the 2021, the June 2021 charge where it
13 says that there was a failure to appear, I pulled the half
14 sheet from that day, Judge. And I'm happy to show it if
15 anyone wants to see it. I brought it with me.

16 On July 14th of 2021, the half sheet does reflect
17 that there's a failure to appear, but it also reflects that
18 there is a by agreement next court date which is completely
19 inconsistent with the failure to appear. And on the next
20 court date, it doesn't indicate that there's any vacating of
21 any warrant or anything like that.

22 The appearance on July 14th of 2021 was a Zoom court
23 appearance. And I don't know -- you know, when they were
24 still doing things by COVID, I know they weren't issuing
25 warrants. I can't -- I don't think we can put too much weight

1 in a failure to appear notation then when people weren't
2 required to come to court anyway, Judge. What I do know is
3 that that case was then dismissed.

4 And the traffic case was also a Zoom situation.
5 Again, I know from my own practice at least that when you get
6 these tickets, you're not given a court date on the ticket.
7 You're then supposedly notified of a court date. When I
8 looked this up in the clerk's system when I got this report,
9 it again said it was a Zoom court date in the CL-05 which is
10 one of the courtrooms in the basement of the Daley Center. It
11 wasn't a personal appearance situation. So I don't know how
12 much weight you can put in failing to appear on a Zoom court
13 date.

14 The fact is that we've got a gentleman here who when
15 he was on a court probation situation was compliant with it.
16 He was working before he was arrested on these cases in state
17 court. He was -- these are his only offenses that are here.
18 The government has made no showing that he would be a further
19 danger to the community if he were released. There's no
20 reason to believe that there are not conditions that could be
21 set forth to ensure the safety of the public or that he would
22 be a danger to the public.

23 Certainly in today's day and age where there's plenty
24 of situations where people can be monitored with electronic
25 monitoring and home detention and home incarceration and all

1 of these various things, I know that the prosecutor said
2 something about the young lady that's offered to be a
3 third-party custodian would be at work at Amazon overnight,
4 but certainly it could still be monitored that Mr. Bradley
5 were remaining in the residence through electronic monitoring
6 which is a GPS system that they use. So they would know his
7 whereabouts at any and all times.

8 I know she made reference to the fact that this was
9 his girlfriend and he knew the third-party custodian at the
10 time that he allegedly committed these offenses, and if I came
11 in here and I offered a third-party custodian that he didn't
12 know, then they would be saying, well, he had no relationship
13 with this person and no history with this person. So it's
14 sort of a double-edged sword there, Judge.

15 The fact is that there are conditions that this Court
16 can set forth that would reasonably assure that he would
17 appear for trial and that he would not be a danger to the
18 community and we would ask that you release him.

19 THE COURT: Anything you want to respond,
20 Ms. Steindorf?

21 MS. STEINDORF: Your Honor, defense counsel said
22 there was no allegation that this defendant used a firearm
23 during the carjacking. I know we've closed the screen here,
24 but --

25 THE COURT: I understood that to be true on the first

1 one but not the second one.

2 MS. STEINDORF: That's correct. I just wanted to
3 clear up the record on that. A firearm is visible on
4 surveillance video in the second carjacking.

5 THE COURT: Okay. I need to ask a question. I know
6 this was discussed I think at the arraignment or initial
7 appearance.

8 So I'm looking at the supplemental report from
9 pretrial which is I think just a more comprehensive version of
10 the earlier one, and there's two -- so if you look -- do you
11 have that? Does everybody have that?

12 MS. STEINDORF: Yes.

13 THE COURT: If you look on page 4, there is an arrest
14 for November 3rd of 2022 for armed robbery, vehicular
15 carjacking, et cetera. It says released without charging.
16 There's a little asterisk below that says "This arrest appears
17 to be related to the alleged instant offense." Is that right?

18 MS. STEINDORF: That's right.

19 THE COURT: Is that number one or number two that you
20 showed today?

21 MS. STEINDORF: He was arrested on I believe both
22 incidents, your Honor.

23 THE COURT: At the same time?

24 MS. STEINDORF: He was arrested on the same day as
25 both of the offenses.

1 THE COURT: Okay. It doesn't look like that
2 particular -- it's weird because then there's a further arrest
3 for carjacking on September 3rd of 2024 also in the state
4 system. Is that something different or is that --

5 MS. STEINDORF: No, your Honor.

6 THE COURT: That's this?

7 MS. STEINDORF: It's the same offense. As best as I
8 can tell from the state discovery, the charges for
9 Mr. Bradley, they were not brought originally but they were
10 brought then later for this incident.

11 THE COURT: Got it.

12 MS. STEINDORF: For these incidents, excuse me.

13 THE COURT: And the two -- not that it matters to
14 this, but just so I make sure I got everything sorted out
15 right, the two people who are charged as co-defendants in this
16 case, are they also co-defendants in the state court case?

17 MS. STEINDORF: Yes, your Honor.

18 THE COURT: And they were -- were they charged in
19 2022 or in 2024 or both or do you know?

20 MS. STEINDORF: I do know, your Honor. Marquell
21 Davis was charged in November 2022.

22 THE COURT: Okay. So at the time of the initial
23 arrest.

24 MS. STEINDORF: At the time of the initial offense,
25 although I don't know if he was charged with the carjacking.

1 He also had additional methamphetamine on his person so he was
2 charged with that. Later I believe charged with the two
3 carjackings. Edmund Singleton was not charged until I want to
4 say April 2023 for the two carjackings when he was also
5 charged with a separate gun offense.

6 THE COURT: Does that all sound more or less correct
7 to you?

8 MR. GREENBERG: That sounds more or less correct. If
9 you want me to look up what he was charged with in 2022,
10 Mr. Davis, I can look it up.

11 THE COURT: Honestly, no. What the other people were
12 charged with is not really that significant.

13 MR. GREENBERG: There's nothing else for my client.

14 THE COURT: I was just trying to sort it out.

15 So the other thing relates to the one -- the case
16 that was charged against Mr. Bradley in state court, that's
17 the one that's the carryover from pages 4 to 5. So is that
18 case still pending as of right now?

19 MS. STEINDORF: It is, your Honor. I believe it's
20 next set for December 2nd. As we discussed at the
21 arraignment, I do believe the charges against Mr. Bradley will
22 be dismissed at the state in lieu of federal prosecution, but
23 it just has not happened yet.

24 THE COURT: Is there a complete overlap between
25 what's charged against Mr. Bradley there and what's charged

1 here? In other words, is there anything in the state court
2 case that's not charged here?

3 MS. STEINDORF: I don't believe so, your Honor.

4 THE COURT: Okay. One other question for
5 Mr. Greenberg. So one of the things that Ms. Steindorf
6 mentioned was this firearm that was found more or less in the
7 vicinity of where Mr. Bradley was arrested where there was --

8 MR. GREENBERG: Judge, in the state court,
9 Mr. Bradley is just charged with the latter case.

10 THE COURT: With the second one.

11 MR. GREENBERG: The second one. He's not charged
12 with the first one.

13 THE COURT: Fair enough.

14 MR. GREENBERG: And he's just charged with an attempt
15 in the state case.

16 THE COURT: Got it. And in this case, the one that's
17 charged as a carjacking would be the first one you showed, and
18 the other one is part of the conspiracy to commit basically?

19 MS. STEINDORF: So Mr. Bradley is only charged with
20 the conspiracy to commit both of the offenses and then the
21 second carjacking. He is not charged with the substantive
22 first carjacking.

23 THE COURT: Okay. All right. So what I was going to
24 ask is that one of the things that Ms. Steindorf mentioned was
25 this firearm that was supposedly found around the area where

1 Mr. Bradley was arrested where there was a fingerprint on the
2 tape or something on the firearm. Do you want to say anything
3 about that?

4 MR. GREENBERG: I don't know anything about that,
5 Judge. Honestly, I don't have anything to say about that. It
6 wasn't involved in these offenses, I know that.

7 THE COURT: Well --

8 MR. GREENBERG: That's why I was -- that's why I was
9 checking. Obviously, if his Indiana offense was a
10 misdemeanor, then it's qualitatively different because then
11 he's not a felon certainly.

12 THE COURT: Well, it's qualitatively different in the
13 sense of it might make it not a felon in possession type of
14 offense under federal law, but it's not necessarily
15 qualitatively different in determining somebody's
16 dangerousness if they're driving around carrying a firearm.
17 That's why I'm asking about it.

18 MR. GREENBERG: I mean, she says they found
19 fingerprints. I don't have any way to dispute that.

20 THE COURT: Can you talk to me a little bit more
21 about that, Ms. Steindorf.

22 MR. GREENBERG: May I ask, which -- when was that
23 found?

24 THE COURT: Yeah, just give me the details again.
25 When and where.

1 MS. STEINDORF: Yes, your Honor. So during this
2 helicopter chase, the three --

3 THE COURT: So this is still on the evening that the
4 two --

5 MS. STEINDORF: Exactly, still on the evening of
6 November 3rd, 2022. All three defendants were arrested.
7 Three firearms were recovered. The government --

8 THE COURT: None of them were on the person of
9 anybody. They had all been --

10 MS. STEINDORF: They had all been tossed, exactly.

11 There's a tan and snakeskin gun which the government
12 believes the evidence attributes to Davis. It appears to be
13 the gun that he uses in both of the carjackings. There's a
14 black Glock which appears to be the firearm that Bradley uses
15 in the second carjacking here. And then there's this I
16 believe it's also a black Glock but it's equipped with an
17 extended magazine which we don't believe the surveillance
18 video shows that there's an extended magazine on the firearm
19 that Bradley uses during the carjacking. It has an extended
20 magazine, a camo grip and then tape around the magazine.

21 THE COURT: And that's where the fingerprint was
22 found?

23 MS. STEINDORF: The tape -- Bradley's fingerprint was
24 found, yes, on the tape on the magazine and then I believe
25 maybe under the tape on the magazine as well. I did tender to

1 defense counsel the lab report on that.

2 But I would clarify for your Honor that the third gun
3 that was found, the government believes the evidence will show
4 that that was the gun that Singleton actually possessed that
5 night. But here, I would argue that we're sharing guns and
6 there's joint possession.

7 THE COURT: Okay. Having heard that, what would you
8 like to say about it?

9 MR. GREENBERG: No, she says they found fingerprints
10 on a magazine. I saw the report, Judge. I can't -- it's not
11 on a handle. It's not on the gun itself. I don't know.

12 THE COURT: All right. So just going through the
13 factors. The offenses that we're talking about are serious
14 offenses, just if you look at the title of them, but the
15 videos reflect that they were violent crimes that involved the
16 brandishing -- by people involved in the crimes, the
17 brandishing and pointing of firearms at people, and in one
18 instance at least, well, actually two, but one in particular,
19 struggling with the person who owned the car to I guess it
20 looked like try to get the keys away from him. To be clear,
21 it's not -- Mr. Bradley isn't identified as the person who did
22 that. I'm just talking about the overall offenses.

23 Mr. Bradley's alleged role in those is in the first
24 one was I guess the driver, and second one, a more direct
25 participant in trying to separate the victim from the car

1 unsuccessfully as it turns out.

2 I know that the strength of the evidence is not
3 considered one of the critical factors because it's something
4 that merges with the ultimate determination of guilt or
5 innocence, but I think it's fair to say that there's video of
6 everything and the evidence is reasonably strong.

7 It's not -- you know, I don't know for sure whether
8 the Indiana offense is a felony. But a sentence of 18 months
9 jail even if it's suspended, I mean, kind of by definition, a
10 felony is anything over a year. I'm not sure how you could
11 sentence somebody on a misdemeanor to an 18-month jail
12 sentence even if it's suspended.

13 Going back into my distant memory when I handled
14 cases in Indiana, suspended sentence is not so much of a thing
15 here, they do it there. It's kind of the way things used to
16 be done in ancient times in federal court where you would
17 suspend a sentence and impose probation. That's kind of still
18 done in Indiana as I recollect it. But the idea is if the
19 person violates probation, you got a sentence that's out there
20 which is 18 months which pretty strongly suggests that it's a
21 felony.

22 It looks like there were more serious charges that
23 were not -- there was no adjudication of guilt. The ultimate
24 offense was a theft. But there's at least some evidence
25 connecting Mr. Bradley with a firearm in this case after

1 having had that conviction which is in all likelihood a
2 felony, and even if it wasn't, it seems to me to be a
3 significant point that Mr. Bradley is apparently, you know,
4 running around with a firearm, not likely for any viable
5 reason because there's no indication that he had a concealed
6 carry permit or anything like that.

7 I agree with Mr. Greenberg that the failures to
8 appear, it's a little hard to make a whole lot out of those
9 given the circumstances and particularly given the fact that a
10 couple of them or maybe most of them happened during the
11 height of the pandemic when a lot of the court hearings in
12 state court were being done by video as they were here. It
13 seems to me it's a little different quality or somewhat
14 different quality of a failure to appear than somebody not
15 coming to court. So I agree there's not a whole lot to infer
16 out of that.

17 I don't think -- and this would obviously be subject
18 to questioning the custodian, but I don't -- I'm not prepared
19 to say that there's clear and convincing evidence at this
20 point of a risk of non-appearance, but I do think there's
21 clear and convincing evidence of dangerousness, and I don't
22 think that conditions would satisfy that. I mean, Mr. Bradley
23 was either on or immediately off of probation when this
24 offense was allegedly committed and nonetheless apparently it
25 was connected with a firearm, was handling it at some point in

1 time around there, and I mean, I think that's a pretty
2 significant indication of dangerousness plus the evidence
3 relating to the underlying offenses.

4 So I think the government's shown by clear and
5 convincing evidence that there is not a combination of
6 conditions that would reasonably assure the safety of others
7 in the community. So the defendant's detained pending further
8 order of court.

9 I think we got another status hearing in the case, so
10 I'll see you then. Thanks.

11 MS. STEINDORF: Your Honor, if I may, the government
12 would request that defendant is remanded into marshal's
13 custody at this time.

14 THE COURT: Have I not done that yet?

15 MS. STEINDORF: He went back to state court to get
16 some of his personal effects.

17 THE COURT: Yes, the defendant is to be remanded into
18 federal custody at this point.

19 (Which were all the proceedings had in the above-entitled
20 cause on the day and date aforesaid.)

21 I certify that the foregoing is a correct transcript from
22 the record of proceedings in the above-entitled matter.

23 /s/ Carolyn R. Cox, RPR, F/CRR January 13, 2025
24 Official Court Reporter
United States District Court
Northern District of Illinois
Eastern Division
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